

Introduced by Senator HancockFebruary 19, 2010

An act to amend Section 101012 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1380, as introduced, Hancock. School facilities: construction.

The Kindergarten-University Public Education Facilities Bond Act of 2006 provides for the issuance and sale of \$10,416,000,000 in state general obligation bonds, of which \$7,329,000,000 are for elementary and secondary school facilities. Existing law sets aside \$500,000,000 of the latter amount for purposes relating to facilities for career technical education programs and \$1,000,000,000 for new construction funding for severely overcrowded schoolsites. Existing law authorizes the Legislature to adjust the funding amounts set aside for specific purposes related to elementary and secondary school facilities by a statute passed in each house of the Legislature by a $\frac{2}{3}$ vote if the statute is consistent with, and furthers the purpose of the bond act.

This bill would increase the amount set aside for facilities for career technical education programs to \$700,000,000 and reduce the amount set aside for new construction funding for severely overcrowded schoolsites to \$800,000,000. The bill would contain a Legislative finding and declaration that it is consistent with, and furthers the purpose of the bond act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 101012 of the Education Code is amended to read:

101012. (a) The proceeds from the sale of bonds, issued and sold for the purposes of this chapter, shall be allocated in accordance with the following schedule:

(1) The amount of one billion nine hundred million dollars (\$1,900,000,000) for new construction of school facilities of applicant school districts under Chapter 12.5 (commencing with Section 17070.10) of Part 10. Of the amount allocated under this paragraph, up to 10.5 percent shall be available for purposes of seismic repair, reconstruction, or replacement, pursuant to Section 17075.10.

(2) The amount of five hundred million dollars (\$500,000,000) shall be available for providing school facilities to charter schools pursuant to Article 12 (commencing with Section 17078.52) of Chapter 12.5 of Part 10.

(3) The amount of three billion three hundred million dollars (\$3,300,000,000) for the modernization of school facilities pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10.

(4) The amount of ~~five hundred million dollars (\$500,000,000)~~ *seven hundred million dollars (\$700,000,000)* for the purposes set forth in Article 13 (commencing with Section 17078.70) of Chapter 12.5 of Part 10, relating to facilities for career technical education programs.

(5) Of the amounts allocated under paragraphs (1) and (3), up to two hundred million dollars (\$200,000,000) for the purposes set forth in Chapter 894 of the Statutes of 2004, relating to incentives for the creation of smaller learning communities and small high schools.

(6) The amount of twenty-nine million dollars (\$29,000,000) for the purposes set forth in Article 10.6 (commencing with Section 17077.40) of Chapter 12.5 of Part 10, relating to joint use projects.

(7) The amount of ~~one billion dollars (\$1,000,000,000)~~ *eight hundred million dollars (\$800,000,000)* shall be available for providing new construction funding to severely overcrowded schoolsites pursuant to Article 14 (commencing with Section 17079) of Chapter 12.5 of Part 10.

(8) The amount of one hundred million dollars (\$100,000,000) for incentive grants to promote the use of designs and materials in new construction and modernization projects that include the attributes of high-performance schools, including, but not limited to, the elements set forth in Section 17070.96, pursuant to regulations adopted by the State Allocation Board.

(b) School districts may use funds allocated pursuant to paragraph (3) of subdivision (a) only for one or more of the following purposes in accordance with Chapter 12.5 (commencing with Section 17070.10) of Part 10:

(1) The purchase and installation of air-conditioning equipment and insulation materials, and related costs.

(2) Construction projects or the purchase of furniture or equipment designed to increase school security or playground safety.

(3) The identification, assessment, or abatement in school facilities of hazardous asbestos.

(4) Project funding for high-priority roof replacement projects.

(5) Any other modernization of facilities pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10.

(c) Funds allocated pursuant to paragraph (1) of subdivision (a) may also be utilized to provide new construction grants for eligible applicant county boards of education under Chapter 12.5 (commencing with Section 17070.10) of Part 10 for funding classrooms for severely handicapped pupils, or for funding classrooms for county community school pupils.

(d) (1) The Legislature may amend this section to adjust the funding amounts specified in paragraphs (1) to (8), inclusive, of subdivision (a), only by either of the following methods:

(A) By a statute, passed in each house of the Legislature by rollcall vote entered in the respective journals, by not less than two-thirds of the membership in each house concurring, if the statute is consistent with, and furthers the purposes of, this chapter.

(B) By a statute that becomes effective only when approved by the voters.

(2) Amendments pursuant to this subdivision may adjust the amounts to be expended pursuant to paragraphs (1) to (8), inclusive, of subdivision (a), but may not increase or decrease the total amount to be expended pursuant to that subdivision.

1 (e) Funds available pursuant to this section may be used for
2 acquisition of school facilities authorized pursuant to Section
3 17280.5.

4 SEC. 2. The Legislature finds and declares that this act is
5 consistent with, and furthers the purpose of the bond act.

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